

FILED

11/5/2019 2:31 PM

IN THE CIRCUIT COURT OF LAKE, ILLINOIS
NINETEENTH JUDICIAL CIRCUIT

ERIN CARTWRIGHT WEINSTEIN
Clerk of the Circuit Court
Lake County, Illinois

KRISTEN SCHUETZ,

Plaintiff,

Vs.

No: 19L 00000812

ROUNDY'S ILLINOIS, LLC
d/b/a MARIANO'S,

Defendant.

COMPLAINT AT LAW

NOW COMES the Plaintiff, KRISTEN SCHUETZ, by and through her attorneys, MITCHELL HOFFMAN & WOLF, LLC, and complaining of the Defendant, ROUNDY'S ILLINOIS, LLC d/b/a MARIANO'S (hereinafter "MARIANO'S") and states as follows:

1. That on or before July 20, 2019, the Defendant owned operated and maintained a certain supermarket open to the public known as MARIANO'S located at 1350 East Rand Road, Lake Zurich, Illinois.
2. That on July 20, 2019, the Plaintiff, KRISTEN SCHUETZ, was shopping at MARIANO'S and was lawfully present upon said premises.
3. That at the aforesaid time and place, the Defendant, MARIANO'S, by and through its agents, employees and/or servants, was under certain duties imposed by law including, but not limited to the duty to maintain said premises in a reasonably safe manner.
4. That at the aforesaid time and place, the Defendant by and through its employees, agents and/or servants, did then and there commit one or more of the following negligent acts and/or omissions:

- a. Allowed water or other wet substance to accumulate on the floor near the produce shelves in front of store;
- b. Failed to have a proper inspection system in place to discover and recognize presence of water.

NOTICE

PURSUANT TO LCR - 2-2.14

THIS CASE IS HEREBY SET FOR AN INITIAL CASE MANAGEMENT CONFERENCE

IN COURTROOM C305 ON

2/6/2020 AT 9:00 A.M. A.M./P.M.

**FAILURE TO APPEAR MAY RESULT IN THE CASE BEING DISMISSED OR
AN ORDER OF DEFAULT BEING ENTERED.**

EXHIBIT

A

- c. Failed to have mats or floor runners in the produce section to prevent the buildup of moisture on the floor.

5 That the Defendant at all times herein mentioned, possessed, maintained and controlled the floors and walkways in said supermarket for the common use of all persons rightfully on the premises.

6. That Defendant knew, or upon reasonable inspection should have known, of the condition and dangers posed to the public by the condition of the floor.

7. That as a direct and proximate result of one or more of the aforesaid negligent acts and/or omissions on the part of the Defendant by and through its agents, employees and/or servants, the Plaintiff, KRISTEN SCHUETZ, fell causing her to sustain injuries of a personal and pecuniary nature, including but not limited to, lost wages, medical expenses, pain, suffering, disability and disfigurement, and which have interfered and will in the future continue to interfere with her quality of life, all to his damage.

WHEREFORE the Plaintiff, KRISTEN SCHUETZ, demands judgment against the Defendant, ROUNDY'S ILLINOIS, LLC d/b/a MARIANO'S for a sum in excess of FIFTY THOUSAND DOLLARS (\$50,000.00), plus costs.

By: 

Attorney for Plaintiff

Ken Hoffman
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AFFIDAVIT PURSUANT TO ILLINOIS
SUPREME COURT RULE 222

I, Kenneth A. Hoffman, being hereby under oath state as follows:

1. I am an attorney licensed to practice in the state of Illinois.
2. I am the attorney principally charged with the handling of the captioned matter.
3. The damages sought for in this case exceed \$50,000.00.
4. If called upon to testify in open court my testimony would be substantially the same as set forth herein.

Further affiant sayeth not.


Kenneth A. Hoffman

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